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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re. Appn.: John Underbrink
Application No.: 10/652,112
Filing Date: August 29, 2003
For: FOLDING SINK
Examiner: Khoa D. Huyhn
Art Unit: 3751
Attorney: Gerald E. Helget
Attorney Docket No.: 35249.27
Additional Fees: Charge to Deposit Account No. 023732

MAIL STOP PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

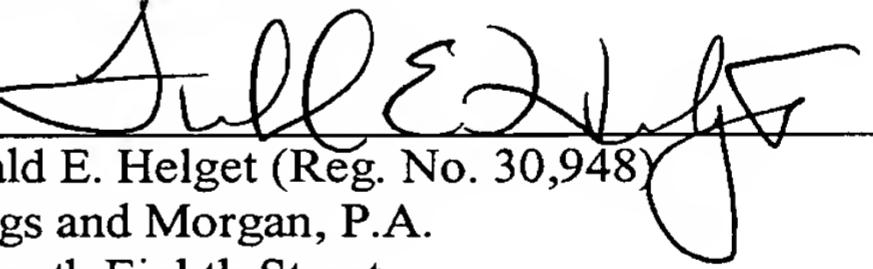
Sir/Madam:

TRANSMITTAL COVER LETTER

Enclosed for filing, please find the following:

1. Fee Transmittal FY 2004 (1 page);
2. A check in the amount of \$130.00 for Petition Fee;
3. Petition to Make Special Because of Actual Infringement (1 page);
4. Statement in Support of Petition to Make Special (Infringement)(1 page); and
5. Postcard Receipt.

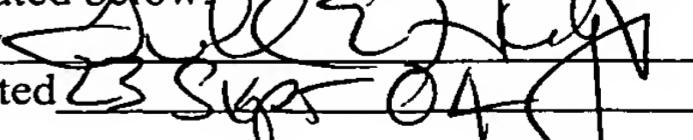
Respectfully submitted,

By 
Gerald E. Helget (Reg. No. 30,948)
Briggs and Morgan, P.A.
80 South Eighth Street
2200 IDS Center
Minneapolis, MN 55402
Telephone: (612) 977-8486

Dated: 23 Sept 04

CERTIFICATE OF MAILING

I hereby certify that this document and the documents identified above, are being deposited with the United States Postal Service as First Class Mail in an envelope, addressed to: MAIL STOP PETITION, Commissioner for Patents, Alexandria, VA 22313-1450, on the date indicated below.

By 
Dated 23 Sept 04

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL

for FY 2004 SEP 27 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$ 130.00)

Complete if Known

Application Number	10/652,112
Filing Date	August 29, 2003
First Named Inventor	John Underbrink
Examiner Name	Khoa D. Huynh
Art Unit	3751
Attorney Docket No.	35249.27

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Other None
Order
 Deposit Account:

Deposit Account Number

02-3732

Deposit Account Name

Briggs & Morgan, P.A.

The Director is authorized to: (check all that apply)

-
- Charge fee(s) indicated below
-
- Credit any overpayments
-
-
- Charge any additional fee(s) during the pendency of this application
-
-
- Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1)

(\$ 0)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	-20 **	=	0	X	Fee from below	=	0	Fee Paid
Independent Claims	-3 **	=	0	X		=	0	
Multiple Dependent				X		=	0	

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$ 0)

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
		1051	130	2051	65	Surcharge - late filing fee or oath	
		1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
		1053	130	1053	130	Non-English specification	
		1812	2,520	1812	2,520	For filing a request for reexamination	
		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
		1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
		1251	110	2251	55	Extension for reply within first month	
		1252	420	2252	210	Extension for reply within second month	
		1253	950	2253	475	Extension for reply within third month	
		1254	1,480	2254	740	Extension for reply within fourth month	
		1255	2,010	2255	1,005	Extension for reply within fifth month	
		1401	330	2401	165	Notice of Appeal	
		1402	330	2402	165	Filing a brief in support of an appeal	
		1403	290	2403	145	Request for oral hearing	
		1451	1,510	1451	1,510	Petition to institute a public use proceeding	
		1452	110	2452	55	Petition to revive – unavoidable	
		1453	1,330	2453	665	Petition to revive – unintentional	
		1501	1,330	2501	665	Utility issue fee (or reissue)	
		1502	480	2502	240	Design issue fee	
		1503	640	2503	320	Plant issue fee	
		1460	130	1460	130	Petitions to the Commissioner	130.00
		1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)	
		1806	180	1806	180	Submission of Information Disclosure Stmt	
		8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
		1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
		1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
		1801	770	2801	385	Request for Continued Examination (RCE)	
		1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 130.00)

*or number previously paid, if greater; For Reissues, see above

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Gerald E. Helget	Registration No. (Attorney/Agent)	30,948	Telephone	612.977.8480
Signature			Date	23 Sep 04	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PETITION TO MAKE SPECIAL BECAUSE OF ACTUAL INFRINGEMENT
(37 C.F.R. §1.102 AND M.P.E.P. §708.02)

Applicant hereby petitions to make this application special because of actual infringement.

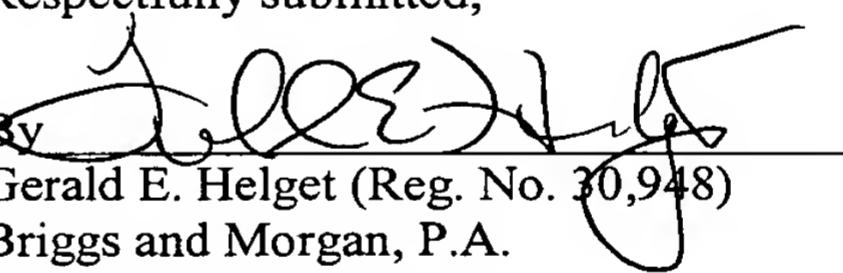
1. Accompanying material:

Accompanying this petition is:

a Statement by Attorney in Support of Petition to Make Special Because of Actual Infringement

Dated: 23 Sept 04

Respectfully submitted,

By 
Gerald E. Helget (Reg. No. 30,948)
Briggs and Morgan, P.A.
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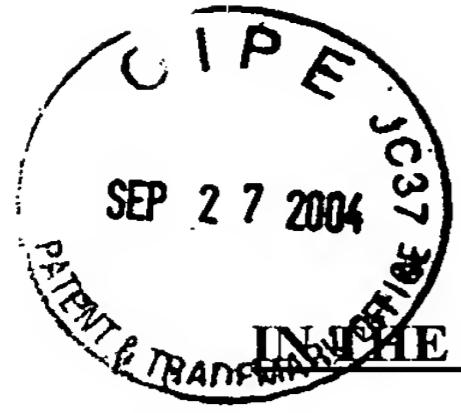
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By 
Dated 23 Sept 04

09/28/2004 YPOLITE1 00000015 10652112

01 FC:1460

130.00 OP



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STATEMENT BY ATTORNEY IN SUPPORT OF PETITION TO MAKE SPECIAL
BECAUSE OF ACTUAL INFRINGEMENT
(37 C.F.R. §1.102 AND M.P.E.P. §708.02)

Applicant hereby petitions the Office to make the above-referenced United States Patent Application special, as follows:

1. There is an infringing device or product actually on the market. In particular, an infringing product is actually being marketed by Jobar International, Inc., 21022 Figueroa St., Carson, CA 90745 (attached).
2. A rigid comparison of the alleged infringing product with the claims of the application has been made. In my opinion, some of the claims are unquestionably infringed.
3. I have a good knowledge of the pertinent prior art. The references most closely related to the subject matter encompassed by the claims are already of record.

Dated: 23 Sept 04


Gerald E. Helget
Attorney for Applicant